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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,285	02/24/2002	Frederic Leuba	ICB-0049	1142

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EXAMINER

PHAN, THANH S

ART UNIT PAPER NUMBER

2841

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/085,285

Applicant(s)

LEUBA ET AL.

Examiner

Thanh S Phan

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-17 and 20-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-17 and 20-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of: _____
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/12/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the protective layer and the adherence underlayer must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-17 and 20-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schafroth [US 6,124,649] in view of Applicant Admitted Prior Art; AAPA hereinafter; and Lin [US 6,562,709]. Schafroth teaches a timepiece including particular a functional unit (not explicitly in numbered) including magnetized masses 12, an electronic module 80 including a support with conductive paths connected to at least one integrated circuit 81, wherein at least the conductive paths are in proximity to said functional unit, wherein the support is of synthetic or composite material, wherein the electronic module further includes at least a discrete electronic unit, wherein the discrete electronic unit is a capacitor 82-84, wherein said functional unit is a microgenerator, wherein said microgenerator includes a rotor (not explicitly numbered) including two flanges each having substantially the shape of a disc and each carrying, on its face facing the other flange, an even number (6) of magnetized masses, said electronic module including at least a stator coil 20-22 fixed to said support and partially inserted between the two flanges, wherein the conductive paths of said support connecting said at least one coil to said integrated circuit (Col. 2, lines 57+; Col. 3, lines 1+; FIG. 2). Schafroth does not explicitly teach the conductive paths are made of essentially non-magnetic material, wherein said paths include a protective layer and an

Art Unit: 2841

adherence underlayer formed of a non-magnetic material, wherein the non-magnetic material is a nickel based alloy. Lin teaches an apparatus where alternating layers of materials are utilized, wherein the layers are made of non-magnetized layers, wherein the non-magnetized material are material such as nickel, palladium or gold [column 11; lines 47 +]. Lin further teaches a protective layer of non-magnetic material [column 11, lines 56-59] and an adhesive to attach the conductive trace to the chip/substrate [column 12, lines 32-35]. In addition, within the Applicant's Disclosure, it has been established that in the prior art, said conductive paths are typically made in two steps. The first step consists in depositing a layer of a very good electrically conductive material, such as a copper or gold based alloy. The second step then consists in depositing a fine protective layer, on the conductive layer, formed of a nickel-based alloy with good resistance to oxidization. Sometimes an underlayer is deposited on the substrate before depositing the conductive layer. This underlayer, usually formed of a nickel-based alloy, allows the adherence of the conductive layer to the substrate to be improved (Disclosure, page 2, lines 29+). It would have been obvious to a person skilled in the art at the time of the invention to adapt the conductive paths design of Lin with Schafroth for the purpose of facilitating conductivity and providing circuitry thereof.

Response to Arguments

Applicant's arguments with respect to claims 1-3, 5-17 and 20-25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Art Unit: 2841

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh S Phan whose telephone number is 571-272-2109. The examiner can normally be reached on M-F 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on 571-272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tsp



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